BILL NO. 89

Government Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act to Amend Chapter 238 of the Revised Statutes, 1989, the Provincial Court Act

CHAPTER 43
ACTS OF 2006

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 23, 2006

The Honourable Murray K. Scott
Minister of Justice

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

2007-03015/

An Act to Amend Chapter 238 of the Revised Statutes, 1989, the Provincial Court Act

Be it enacted by the Governor and Assembly as follows:

1 Chapter 238 of the Revised Statutes, 1989, the *Provincial Court Act*, is amended by adding immediately after Section 3 the following Section:

3A (1) Notwithstanding any other provision of this Act, the Attorney General, upon the recommendation of the Chief Judge, may appoint a judge of the provincial court of another province of Canada to preside over an action, case, matter, process, hearing or proceeding in the Province if the Attorney General considers the appointment to be in the public interest.

(2) A judge appointed under subsection (1)

(a) holds office for the term set by the Attorney General so long as the judge remains a judge of the provincial court in another province of Canada;

(b) has the jurisdiction, powers, duties and authority given to judges under Section 7;

(c) shall be paid for services at a daily rate of remuneration equivalent to that paid to a judge appointed under Section 3 for the number of days of service provided during the term of appointment referred to in clause (a);

(d) shall be reimbursed for expenses incurred by the judge in respect of the services provided as if the judge were appointed under Section 3; and

(e) is subject to the authority of the Chief Judge.

2 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.